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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,593	10/15/2003	Louis Holder	20807.0002	1757
28752	7590	12/15/2006	EXAMINER	
LACKENBACH SIEGEL, LLP LACKENBACH SIEGEL BUILDING 1 CHASE ROAD SCARSDALE, NY 10583				JONES, PRENELL P
		ART UNIT		PAPER NUMBER
		2616		

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/684,593	HOLDER, LOUIS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Prenell P. Jones	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 25 September 2006.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 3,6-20 and 22-57 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 3,6-20, 22-57 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
    Paper No(s)/Mail Date \_\_\_\_\_

4)  Interview Summary (PTO-413)  
    Paper No(s)/Mail Date. \_\_\_\_\_

5)  Notice of Informal Patent Application

6)  Other: \_\_\_\_\_

***Response to Arguments***

1. Applicant's arguments with respect to claims 3, 6-21 and 23-57 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

- 2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3, 6-21 and 23-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borella et al (US PAT. 6,731,642) in view of Yan et al (US PG PUB 20050018651), Harris et al (US PG PUB 20030212795) and Gu et al (US Pat 6,892,230).

Regarding claim 3, 6-10, 15-17, 23-29, 33, 39, 41, 43, 44, 50 and 56, Borella (US PAT. 6,731,642) (Abstract, col. 3, line 14-44, col. 11, line 48-52) discloses an IP telephony network utilizing network address translation, wherein communication exist between a caller station and callee station and the privacy and security associated with the IP telephony network is enhanced, whereby the architecture includes multiple components, such as, two routers (intermediate points), two gatekeepers and a back end server that work together to set-up a call, (col. 2, line 5-67) an intermediate network, routing calls between a caller station and callee station is accessible via an intermediate

network (intermediate point/Internet), router connecting edge network to an intermediate network initiates a call in response to a setup message (at least a portion of a message) that includes a callee station number, routing means performs network address translation, intermediate network initiates call response to set-up message originating from callee station, (col. 7, line 23 through col. 8, line 45) in the registration process for both the caller (sender) and callee (destination) an edge network to a router transmits a first registration message, a second registration message and a third registration message (repeatedly sending other messages from destination) over Internet to the intermediate network, cascade of registration messages transmit callee station number (from destination), and responses are sent with respect to registration request of both caller and callee during registration process. Although, Bella is silent on time-out function associated with an intermediate point (router), it is inherent that a router includes a timer associated with a port interface, wherein an associated time-out is applied. Bella is silent on receiving a response to a request within a time-out period and preventing a port from timing-out by repeatedly sending subsequent messages via destination over Internet and timeout period restarts upon arrival at intermediate point of a message from the destination. In an Internet telephone communication system that monitors/manages data routing of caller information, Yen discloses a communication environment wherein the architecture includes communicating router modules provides network address translation and port translation (paragraph 0024, 0070), MTA includes a routing module whereby the MTA operates as a network address and port translation gateway for a plurality of clients (paragraph 0056), VOIP and SIP (enhanced Internet telephony), confirmation respond received with respect to a time-out period (paragraph 0138, 0148), and Harris discloses peer-to-peer communications wherein the architecture includes a plurality of client devices communicating, server devices, NAT (network

address translator), wherein the NAT device can be a router with associated ports (Fig. 1, paragraph 0015, 0022), NAT devices implements port mapping (timeout), timeouts are prevented by periodically sending messages out (paragraph 0019), and Go discloses a dynamic self-configuration IP telephony internetworking environment wherein timeouts are utilized for various reason, such as for restarting at the receiving device (col. 37, line 22-67, col. 38, line 20-67). In addition, it is inherent that a timer is associated with a timeout. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement receiving a response to a request within a time-out period and preventing time-out by repeatedly sending subsequent messages and restarting timeout at intermediate node as taught by the combined teachings of Yen, Harris and Go with the teachings of Borella for the purpose of further managing response/queries in call setup as to minimize congestion at a port and to handle failures in the communication of data..

Regarding claims 30, 32, 35, 40-42, 46, 53 and 57, Borella (US PAT. 6,731,642) (Abstract, col. 3, line 14-44, col. 11, line 48-52) discloses an IP telephony network utilizing network address translation, wherein communication exist between a caller station and callee station and the privacy and security associated with the IP telephony network is enhanced, whereby the architecture includes multiple components, such as, two routers (intermediate points), two gatekeepers and a back end server that work together to set-up a call, (col. 2, line 5-67) an intermediate network, routing calls between a caller station and callee station is accessible via an intermediate network (intermediate point/Internet), router connecting edge network to an intermediate network initiates a call in response to a setup message (at least a portion of a message) that includes a callee station number, routing means performs network address translation,

intermediate network initiates call response to set-up message originating from callee station, (col. 7, line 23 through col. 8, line 45) in the registration process (conditions are met).

Regarding claims 34, 45 and 52, as indicated above, Borella (US PAT. 6,731,642) (Abstract, col. 3, line 14-44, col. 11, line 48-52) discloses an IP telephony network utilizing network address translation, wherein communication exist between a caller station and callee station and the privacy and security associated with the IP telephony network is enhanced, whereby the architecture includes multiple components, such as, two routers (intermediate points), two gatekeepers and a back end server that work together to set-up a call, (col. 2, line 5-67).

Regarding claims 36, 47 and 54, as indicated above, the combined teachings of Borella, Yen, Harris and Go discloses processing messages in a network address translation routing environment wherein the routers are intermediate nodes, and wherein timeouts are utilized as to minimize congestion. Although Borella, Harris and Go fail to teach or suggest a addresses assigned by Dynamic Host Computer Protocol, Yen teaches a communication environment wherein the architecture includes communicating router modules provides network address translation and port translation (paragraph 0024, 0070), MTA includes a routing module whereby the MTA operates as a network address and port translation gateway for a plurality of clients (paragraph 0056), VOIP and SIP (enhanced Internet telephony), confirmation respond received with respect to a time-out period (paragraph 0138, 0148), and utilizing dynamic host configuration protocol in a network address translation network (paragraph 0056). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to implement a

dynamic host configuration protocol as taught by Yen with the combined teachings of Borella, Harris and Go for the purpose of further managing routing data in a network address translation environment.

Regarding claims 13, 14, 20, 21, 28, 37, 38, 48, 49 and 55 as indicated above, Borella discloses devices communicating message data in an enhanced IP telephony environment, he further discloses that the messages communicated is signaling data (col. 3, line 28 thru col. 4, line 67), Yen discloses a communication environment wherein the architecture includes communicating router modules provides network address translation and port translation (paragraph 0024, 0070), MTA includes a routing module whereby the MTA operates as a network address and port translation gateway for a plurality of clients (paragraph 0056), VOIP and SIP (enhanced Internet telephony), confirmation respond received with respect to a time-out period (paragraph 0138, 0148), and Harris discloses peer-to-peer communications wherein the architecture includes a plurality of client devices communicating, server devices, NAT (network address translator), wherein the NAT device can be a router with associated ports (Fig. 1, paragraph 0015, 0022), NAT devices implements port mapping (timeout), timeouts are prevented by periodically sending messages out (paragraph 0019). Although, Borella and Harris are silent on session initiated protocol (SIP), Yen further discloses communicating call signaling messages wherein the messages contain IP frames that are compliant with the SIP protocol (paragraph 0125). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement communicating telephony signaling, as well as SIP protocol as taught by Yen with the combined teachings of Borella and Harris for the purpose of further managing response/queries in call setup.

Regarding claims 12, 19 and 27, as indicated above, Borella discloses devices communicating message data in an enhanced IP telephony environment, he further discloses that the messages communicated is signaling data (col. 3, line 28 thru col. 4, line 67), Yen discloses a communication environment wherein the architecture includes communicating router modules provides network address translation and port translation (paragraph 0024, 0070), MTA includes a routing module whereby the MTA operates as a network address and port translation gateway for a plurality of clients (paragraph 0056), VOIP and SIP (enhanced Internet telephony), confirmation respond received with respect to a time-out period (paragraph 0138, 0148), and Harris discloses peer-to-peer communications wherein the architecture includes a plurality of client devices communicating, server devices, NAT (network address translator), wherein the NAT device can be a router with associated ports (Fig. 1, paragraph 0015, 0022), NAT devices implements port mapping (timeout), timeouts are prevented by periodically sending messages out (paragraph 0019). Although, Borella and Harris are silent on Dynamic Host Computer Protocol (DHCP), Yen further discloses wherein the MTA includes a DHCP server dispenses IP network addresses (paragraph 0055-0059). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement a Dynamic Host Computer Protocol (DHCP) that generates network addresses as taught by Yen with the combined teachings of Borella and Harris for the purpose of further managing response/queries in call setup.

Regarding claim 11, 18 and 26, as indicated above, Borella discloses devices communicating message data in an enhanced IP telephony environment, he further discloses that the messages communicated is signaling data (col. 3, line 28 thru col. 4,

line 67), Yen discloses a communication environment wherein the architecture includes communicating router modules provides network address translation and port translation (paragraph 0024, 0070), MTA includes a routing module whereby the MTA operates as a network address and port translation gateway for a plurality of clients (paragraph 0056), VOIP and SIP (enhanced Internet telephony), confirmation respond received with respect to a time-out period (paragraph 0138, 0148), and Harris discloses peer-to-peer communications wherein the architecture includes a plurality of client devices communicating, server devices, NAT (network address translator), wherein the NAT device can be a router with associated ports (Fig. 1, paragraph 0015, 0022), NAT devices implements port mapping (timeout), timeouts are prevented by periodically sending messages out (paragraph 0019). Although, Borella and Yen are silent on an intermediate/router assigning network address at the end of timeout (paragraph 0037, 0038). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement an intermediate/router assigning network address at the end of timeout as taught by Harris with the combined teachings of Borella and Yen for the purpose of further managing response/queries in call setup as well as minimizing congestion.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

December 10, 2006

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER

12/11/07